

**COOK COUNTY SHERIFF'S
MERIT BOARD**

IN THE MATTER OF:

**CORRECTIONAL SERGEANT
DANIEL A. ROBINSON**

**EMPLOYEE # [REDACTED]
STAR # 1002**

DOCKET NO. 1730

DECISION

This matter coming on to be heard pursuant to notice before Vincent T. Winters, a Board Member, the Cook County Sheriff's Merit Board finds as follows:

1. The Respondent Daniel Robinson was appointed a Correctional Officer on December 27, 1999 and a Correctional Sergeant on January 26, 2003.
2. On November 20, 2011 the Respondent was assigned to the Records Department in Division V, 2700 S. California Avenue, Chicago, Illinois.
3. Respondent's position as a Correctional Sergeant involves duties and responsibilities to the public; and
4. Each member of the Cook County Sheriff's Merit Board, hereinafter "Board", has been duly appointed to serve as a member of the Board pursuant to confirmation by the Cook County Board of Commissioners, State of Illinois, to sit for a stated term; and
5. The Board has jurisdiction of the subject matter over this proceeding as well as the parties in accordance with Chapter 55 of the Illinois Compiled Statutes; and
6. Respondent was personally served with a copy of the Complaint against him as well as Notice of Hearing and appeared before the Board to originally contest the charges contained in the Complaint with counsel as well as appearing for the various hearing dates, status, and ultimately trail; and
7. This matter came for hearing on March 31, 2015 and continued on April 22, 2015. Respondent Robinson has been charged by way of a Complaint filed on August 27, 2013 with violating Rules and Regulations and General Orders of the Cook County Department of

Corrections, specifically General Order 11.2.20.0 II. and VI. A. 1, 2, 6 a,b,c I, ii, and iii, 7 a, b i, ii, iii; B 1, 2, 3 as well as Cook County Sheriff's Department Merit Board Rules and Regulations, Article X, Paragraph B 1, 2,3. At the start of the trial the Sheriff dropped the charges of Order 11.2.20.0 VI. A 1 and Cook County Sheriff's Department Merit Board Rules and Regulations Article X, Paragraph B 1 and 2.

Issues Presented:

Whether the actions of the Respondent violated any of the General Orders and Rules and Regulations set forth above and what discipline is warranted if a violation occurred.

Resolution of Issues:

We the Board find that Respondent Daniel A. Robinson Star #1002 did violate Sheriff's Order 11.2.20.0 Rules of Conduct II., VI. 6. a. and b., 7. A. and b. i., ii., and iii; B. 1, 2, and 3; and Article X, Paragraph B, 3 of the Cook County Sheriff's Department Merit Board Rules and Regulations.

Factual Background

An evidentiary hearing was held on March 31, 2015 and continued on April 22, 2015. Present was the Sheriff through counsel as well as the Respondent and Respondent's counsel. Testimony was taken from the Respondent, Daniel A. Robinson, as well as other witnesses called on behalf of the Sheriff. The Sheriff admitted Exhibits #2, 3, 4, 5, 6, 8, 9 11, and 12 into evidence and Respondent admitted Exhibits #1 and 2 into evidence.

Sheriff's Case

[REDACTED]

The Sheriff called [REDACTED] who testified that back in June 2013 she met a man she though was 27 years old through an online website called FetLife, who she later found out was Respondent, Daniel Robinson. [REDACTED] testified that Robinson approached her on this

website and told her that he wanted to teach her more about bondage discipline submission for sadism-masochism (BDSM). [REDACTED] said that she and Robinson spoke approximately ten times through the website, Skype, texts and phone calls prior to meeting on June 25, 2013 and that during those conversations she told him that she was [REDACTED] years old. Also during these conversations, [REDACTED] testified that she and Robinson had sexual online encounters via Skype and that during these encounters Robinson asked [REDACTED] to perform certain sexual acts and [REDACTED] complied.

On June 25, 2013 [REDACTED] and Robinson made arrangements to meet the next day, June 26th. [REDACTED] testified that she believed that they were going to talk more about BDSM and get to know each other better at this meeting. During the morning of June 26th, [REDACTED] testified that she received a phone call from Robinson to meet him in the parking lot that she was walking past, they began talking, it started raining and they got into Robinson's car. While in the car, [REDACTED] testified that Robinson kissed her multiple times and groped her breasts. [REDACTED] went on to testify that she did not try to leave the car because she was scared and that she told Robinson that she was nervous at first and he replied not to be because he was a cop. [REDACTED] testified that Robinson was wearing dark cargo pants and a white shirt with embroidery on the left breast area and underneath the embroidery was the name Robinson in gold embroidery. After a few minutes of being in the parking lot, [REDACTED] testified that Robinson started the car and proceeded to drive to [REDACTED]'s apartment complex. [REDACTED] went inside, spoke to her stepdad, got her laundry and then came back outside and walked around the corner to the laundry room. [REDACTED] testified that she did not say anything to her stepdad about meeting Robinson a few minutes earlier because she was embarrassed about the way the two had met. [REDACTED] then

testified that she received a phone call from Robinson and that she told him to leave but that he followed her into the laundry room and then pressed her up against a washer and started kissing, biting her lips and neck and groping her again. They then moved into another area of the laundry room where the kissing continued. [REDACTED] also testified that Robinson held her hands and arms above her head and that she could not get her hands down. [REDACTED] went on to testify that Robinson grabbed her hair and pulled her down towards the middle of his body because he wanted to test her on her sucking skills, [REDACTED] shook her head no. At this point Robinson started kissing and biting her breast again and at this time her stepdad came into the room. At this time [REDACTED] testified that her stepdad yelled at Robinson to get out. While he was walking out the step dad grabbed Robinson's shirt and saw that he was wearing a Cook County Sheriff's Department shirt and that it had a name on it. Also while walking out, Robinson yelled "she told me she was [REDACTED]" [REDACTED] testified that they were in the laundry room for approximately five to six minutes and that at no time did she scream or attempt to run away. After this encounter took place [REDACTED] testified that her and her stepdad went back to the apartment and talked for a few minutes before he went to work. [REDACTED] testified that later that day she went to the police station to give a statement and that she had to go back a few days later to give a second statement. [REDACTED] then stated that she went to the police station on June 27, 2013 to re write the statement and make it more legible. On August 10, 2013 [REDACTED] testified that she identified Robinson through a series of pictures.

[REDACTED] testified that after the incident she talked to a couple of her friends about what had happened and the Sheriff showed [REDACTED] a copy of the text messages. In these messages, mostly to her friend [REDACTED], she tells him that her stepdad walked in while a guy was all over her and that the purpose of the two meeting was to talk about Robinson being her mentor and that he

made passes at her and she let it go because she was scared. There was discussion about the fact that the criminal charges were nolle prosequi'd prior to trial and that [REDACTED] wanted to come forward now because she felt like she needed to do something. [REDACTED] also testified that this event has caused her to suffer from flashbacks and nightmares and that she currently takes [REDACTED]

Cross-examination

[REDACTED], on cross-examination, was asked that whether she went to the police station on the 26th, 27th and 29th of June in 2013 in which she replied yes. During the line of questioning she was asked about her original discussions with Sergeant [REDACTED] and that fact that she allegedly told Sergeant [REDACTED] that the kissing in the car was consensual and that she never told Robinson to stop. [REDACTED] testified that she did not remember telling Sergeant [REDACTED] that the kissing was consensual nor that Robinson never hurt her or forced his way onto her. She went on to testify that when she was texting her friend [REDACTED] she never said things like "thank God my dad came and saved me" or I was attacked by Robinson, nor did she ever tell the police that she told Robinson she wanted him to leave.

Redirect

[REDACTED] testified on re-direct that she told the Berkely police department on the date of the incident, June 26, 2013 that she told the police that she did not ask Robinson to stop because it was not worth it because "he was larger and intimidating, and it was easier to just go with it."

[REDACTED]

[REDACTED] testified that he is [REDACTED]'s stepdad and [REDACTED]

[REDACTED] On the morning of June 26, 2013 he went down in the basement where [REDACTED] was doing laundry to say goodbye before he went to work. Initially when he walked

into the room he did not see anyone but when he walked in deeper he saw a man holding [REDACTED]'s hands down by her side and he had his face in her breasts. At that point he shouted [REDACTED]'s name and they both jumped apart, at that point the man, who [REDACTED] identified as Robinson tried exiting past him. [REDACTED] testified that he blocked the exit and saw that he had a shirt on that indicated he was in law enforcement so he grabbed the shirt and asked if he was a police officer. [REDACTED] testified that he was not sure if the man answered but that he saw one side of the shirt had a law enforcement emblem on it and the other side had the name Robinson. [REDACTED] asked Robinson how old he was and he said that "I'm 27 and she told me she was [REDACTED]." Robinson then left the basement and [REDACTED] checked to see if [REDACTED] was okay, he asked her if she knew Robinson was a police officer and she told him that he worked for the Algonquin Police Department and that she only knew him as Sergeant [REDACTED] also asked [REDACTED] if Robinson knew that she was a minor and she told him that they met online and that her profile had her listed as 18 years old but when they talked she told him that she was really only [REDACTED] years old and that he did not care. After this conversation [REDACTED] told [REDACTED] that when her mother came home that she should tell her everything that had happened and then they would decide what to do from there. Later that day he meet [REDACTED] and her mother at the Berkeley Police Department, two days later on June 28th he gave a written statement, on July 3rd, 2013 [REDACTED] identified Robinson as being the man in the laundry room on June 26th, and on August 10, 2013 where he identified Robinson in a line up.

Cross-examination

[REDACTED] was asked about his time in law enforcement and he testified that he was with the Chicago Police Department for 16 years, he testified that he told Sergeant [REDACTED] that [REDACTED] was not resisting and it seemed that the behavior was consensual and that they both acted totally

surprised at being caught. [REDACTED] also testified that he did not call the police after the incident and actually went into work.

[REDACTED]

[REDACTED] testified that he is the First Assistant Executive Director for the Department of Corrections and during August 2013 he was a director in the Office of Professional Review and during that time he investigated a case involving Robinson. He testified that he first found out about the investigation by getting a call from the Berkeley Police Department about a sergeant was under investigation for some criminal charges. [REDACTED] testified that he collected reports and interviewed Robinson on August 15, 2013 during his investigation. At the August 15th meeting Robinson was accompanied by his union steward, Sergeant [REDACTED], and [REDACTED] testified that he had learned that the Berkeley Police Department was charging Robinson with criminal sexual abuse and unlawful restraint. [REDACTED] also testified that Robinson did not provide a statement on August 15th because he requested legal counsel which he brought back on August 19th to give his statement to OPR. [REDACTED] discussed his interview with Robinson on August 19, 2013 and testified regarding Robinson's two-page statement. [REDACTED] testified that he typed the statement and allowed Robinson to review it and that Robinson did not make any changes to it. In the report Robinson explained that he originally met [REDACTED] online and that they had met again in person at a parking lot at the Berkeley Square Mall where they engaged in some consensual kissing and then they went back to [REDACTED]'s residence while he waited in the car and waited for her to motion to him to come into the laundry room. At this point the kissing continued and while that was happening [REDACTED]'s stepdad entered the room. [REDACTED] testified that Robinson told him no words were exchanged and that he left but that he was wearing his uniform.

Robinson went on to tell [REDACTED] that he had been contacted by the Berkeley police Department in early July but that he did not go in because he needed to bring his lawyer with him. [REDACTED] testified that he sustained charges for three infractions against Robinson, one was his failure to notify the department that he was under investigation, two was conduct unbecoming and that he brought the department under a bad light while he was in uniform and the third was the violation of the statute.

Cross-examination

[REDACTED] was asked if he was aware that Robinson gets regular calls from other police departments inquiring about work-related matter, [REDACTED] testified that he was aware of that because of his assignment in the jail records department. [REDACTED] was also asked if he sustained a violation because of the alleged crime being committed in uniform, his answer in the affirmative.

Re-direct

[REDACTED] testified that Robinson was de-deputized on August 11, 2013, the day after he was arrested.

Sergeant [REDACTED]

Sergeant [REDACTED] testified that he is employed by the Berkeley Police Department and that he was assigned to investigate a case involving Respondent back in the summer of 2013. [REDACTED] testified that the investigation started by [REDACTED] walking into the police station on June 26, 2013 with her stepfather [REDACTED]. When [REDACTED] came in she alleged that a person that she met on the internet sexually assaulted her. After hearing this [REDACTED] testified that they acquired [REDACTED]'s cell phone, computer and then sought to identify the individual. After getting the name Daniel Robinson and doing internet searches and phone number inquiries they were able to

identify the Respondent. [REDACTED] testified that [REDACTED] made a handwritten statement and that she wrote how she met Robinson, about the encounters in the car and in the laundry room, about how she told Robinson that she was scared and Robinson told her not to be because he was a police officer and that he then forced his way onto her. [REDACTED] testified that [REDACTED] re wrote the original written statement for legibility purposes because it was pretty difficult to read the original statement. [REDACTED] went on to testify that on June 28, 2013 he contacted Robinson and notified him that his name came up in a report and that he needed to ask him some questions. Robinson told him that he needed to contact his union because he didn't want anything to come back to his employer. [REDACTED] testified that Robinson never called back and he called him back the next day, June 29, 2013. [REDACTED] testified that some time went by but on August 10, 2013 Robinson came into the Berkeley Police Station with his attorney and was identified by [REDACTED] and [REDACTED]. [REDACTED] testified that he was able to retrieve text messages between [REDACTED] and Robinson.

Cross-Examination

On cross [REDACTED] testified that [REDACTED]'s stepfather told him that the activity between the [REDACTED] and Robinson appeared consensual, he also testified that [REDACTED] told him that the kissing between Robinson and her was consensual, that he never hurt her and that she never told him to no or to stop his behavior. [REDACTED] also testified that in his report that [REDACTED] told him that Robinson's push was not violent. [REDACTED] went on to testify that he was able to retrieve deleted text messages from [REDACTED]'s phone, when he asked [REDACTED] why she deleted the texts referring to the fact that she just got caught and she was going to have to deal with her stepdad walking in on some random guy all over her, [REDACTED] told [REDACTED] that she panicked. [REDACTED] also

testified that when [REDACTED] initially came into the police station on June 26, 2013 she never told him that she once she left Robinson's car to go into the house that he had better leave.

Redirect Examination

[REDACTED] testified that [REDACTED] determined that Robinson was a cop and that when they met he was wearing police type clothing with police type cargo pants and a polo with a police star on one side of the shirt and a name embroidered on the other side. [REDACTED] also testified that [REDACTED] told him that she did not tell Robinson to stop because he was much larger, intimidating, and it was just easier to go with it.

Respondent's Case

Daniel Robinson

Robinson testified that he began working for the Sheriff in December 1999 and was promoted in 2003 and described the different divisions that he worked in. Robinson then described his normal uniform as blue pants and a polo shirt that has the embroidered Sheriff's insignia. He went on to describe how he began using the website FetLife and that he had used it for approximately four to five years prior to meeting [REDACTED]. Robinson described how he and [REDACTED] began talking through the website and how it escalated into meeting in person. Robinson testified that they agreed to meet in a parking lot prior to work to get the initial meeting over. Once they both arrived at the parking lot they began talking and then got into Robinson's car because it started raining. Robinson testified that while in the car they continued talking and then they began kissing, with [REDACTED] kissing him first. After a few minutes Robinson testified that [REDACTED] told him that they should go back to her place to see if her stepfather had left to go to work. When they arrived at her apartment building Robinson testified

that [REDACTED] told him where to park and that she was going to go inside to see if her stepfather had left and that she would call him. After waiting for a few minutes in his car, Robinson testified that he called [REDACTED] to see if he should leave and she told him "no, I'm grabbing laundry" and then hung up. Shortly after [REDACTED] walked out of her apartment and motioned for Robinson to follow her and then they went downstairs into the laundry area. They had to enter through two doors and Robinson testified that [REDACTED] was holding the second door for him, once inside the room Robinson testified that [REDACTED] started a load of laundry and then they resumed kissing each other. Robinson testified that he asked [REDACTED] how she was doing and that she responded that she was enjoying it. After a few more minutes of kissing, Robinson testified that her stepfather came into the room and that [REDACTED] kept yelling at her stepfather to not tell her mother, at this point the stepfather asked Robinson to leave and while he was leaving he reached out and grabbed Robinson's shirt and yelled to him that she was [REDACTED]. After he left the apartment, Robinson testified that he went straight to work and that two days later on June 28th he received a call from Sergeant [REDACTED] at the Berkeley Police Department. According to Robinson he receives numerous calls from other agencies looking for information so he did not become alarmed until [REDACTED] told him that he couldn't tell him what it was pertaining to but that he just needed to talk to him. At that point Robinson testified that he told [REDACTED] that he wanted to speak with his union rep first and that he would call him back. Robinson testified that he just wanted to check with his Union rep because "I just wanted to check in and make sure there's nothing I did wrong, so at that point I'm going to look into what I have to do to protect myself, because I have a lot going for me, I didn't want to ruin anything." Robinson then testified that [REDACTED] called him back ten minutes later and that he told [REDACTED] that he still didn't get ahold of his Union rep but would call him back as soon as he did. After that conversation Robinson testified

that he spoke to [REDACTED] an attorney that he hired that same day, and that [REDACTED] spoke to [REDACTED] and would not tell him why he needed to speak to Robinson but that he was going on vacation and that they would speak when he returned. On August 10, Robinson and his attorney went to the Berkeley Police Department and Robinson testified that he participated in a lineup and that he was arrested approximately twelve hours after he arrived at the police station.

Cross-examination

Robinson testified on cross examination that he has been working for the Sheriff's Office since 1999 and in 2003 he was promoted to a Correctional Sergeant. Robinson testified that he is generally familiar with the policies of Sheriff's Office and understands that being a Correctional Sergeant he is held to a higher standard. Robinson testified that he is married and has three children. He went on to testify that the purpose of joining FetLife was to meet people because he hardly spoke to his wife. Robinson was asked if he and [REDACTED] discussed their sexual fetishes and he testified that his was control and that hers was submission. Robinson was asked about his profile on FetLife and the fact that you cannot join the website unless you are 18 years old. He was asked if [REDACTED] told him that she was only [REDACTED] years old when they began speaking and Robinson testified that she never told him that she was [REDACTED] years old. Robinson testified that [REDACTED] and him had a few skype sessions and that he asked questions from a checklist, he also testified that he could see her but that he did not have a camera so she could not see him. He went on to describe [REDACTED] told him to stop by before work and get the initial meet out of the way, which means to meet someone for the first time in a public place so that both parties can feel comfortable. Robinson testified that [REDACTED] asked him to stop by on June 26th of 2013 and that they had arranged to meet at a parking lot in Berkley close to her home. Robinson was

on his way to work so he had his uniform on when they met on the 26th. Robinson testified that he recognize [REDACTED] right away when he pulled up, they began talking outside the car and then got into his car because it started raining heavily. Once inside the car, Robinson testified that [REDACTED] was the one who initiated the physical contact by kissing him and that [REDACTED] never pulled away from him nor move close to her door. Robinson did testify that [REDACTED] told him that she was nervous but that he told her not to be because he wouldn't hurt her. Robinson went on to testify that they went back to her house and that [REDACTED] went inside and was taking a little longer than he expected so he called her to see if she wanted to continue. Robinson went on to testify that [REDACTED] said that her stepdad was home and that she was going to grab some laundry and be right out. Once outside Robinson testified that [REDACTED] waved to him to come inside. They went down to the basement area where the residents do their laundry and continued kissing each other, they moved further into the laundry room and Robinson testified that he never spanked her, nor did he tell her that he wanted to test her sucking skills. However, Robinson testified that he asked [REDACTED] if she was enjoying it, the kissing, and [REDACTED] told him that she enjoyed getting bit. After a few minutes her stepdad walked into the room and told Robinson to get out, at this point Robinson testified that [REDACTED] went over to her stepdad and was pleading with him not to tell her mother. At this point Robinson testified that he just left and as he was leaving the stepdad grabbed his shirt and the only thing that he heard him say was that she was only [REDACTED] years old. Robinson went on to testify that he when he received a call from Sergeant [REDACTED] on June 28th of 2013, two days after his incident with [REDACTED] he wasn't sure of the reason of the call and that he routinely receives call from several different agencies. Robinson testified that he was not going to assume what the call was about but that because Sergeant [REDACTED] would not tell him what he wanted to talk to him about. Robinson told [REDACTED] that

he would get back to him once he spoke to his Union representative but he could not so he hired an attorney. Robinson was asked if he told [REDACTED] that if he was being accused of something, it could make it back to my work and affect my employment, Robinson testified that anything at the jail could affect his employment and that he wanted to protect himself. Robinson then went on to testify that he was speaking to an attorney that he hired for a prior case who told Robinson that he would have a defense attorney contact him. [REDACTED] was this defense attorney and Robinson testified that he hired him because a sergeant was calling him asking him to come to the police station but wouldn't tell him what it was about. [REDACTED] then contacted [REDACTED] on Robinson's behalf and [REDACTED] told [REDACTED] that he was going on vacation and that they could sit down once he got back. Robinson testified that it was not until August 9th that [REDACTED] received a call from [REDACTED] asking him and Robinson to come in on the 10th of August. Robinson testified that when he went in to the Berkeley police station on August 10 was when he realized what the investigation was about. Robinson testified that he did not contact anyone from the Sheriff's Office after the initial call on June 28th of 2013 because he did not know what the call was regarding. Robinson testified that once he found out on August 9th of 2013 that he was going into the Berkeley police station with his personal attorney he did not contact anyone with the Sheriff's Office.

Findings/ Conclusion of the Law:


Based on the evidence presented, and after assessing the credibility of witnesses and the weight given to the evidence including all the exhibits that were admitted, the Board finds that the Respondent did violate Sheriff's Order 11.2.20.0 Rules of Conduct II, VI. 2, 6. a. and b., 7 a.,


b. i., ii., and iii; B 1, 2, and 3 and Article X, Paragraph B, 3 of the Cook County Sheriff's Department Merit Board Rules and Regulations.

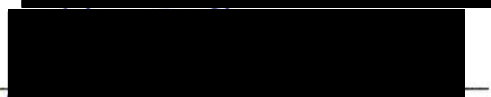
Order:


Wherefore, based on the foregoing, it is hereby ordered that the Sheriff's request to terminate Respondent from the Cook County Sheriff's Office is approved and the Respondent shall be terminated effective August 27, 2013.

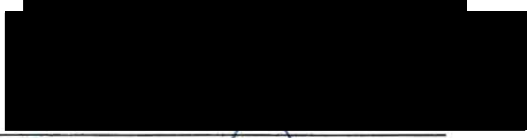
Daniel Robinson CO SGT #1730



James P. Nally, Chairman


Byron Brazier, Vice-Chairman


Brian J. Riordan - Hearing Officer



John Galicandro, Secretary


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Vincent T. Winters, Board Member


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Patrick Brady, Board Member


Gray Mateo - Harris, Board Member

Date March 11, 2016

